

Michael V. Sclafani, Esq. (MVS 9120)
A Member of the Firm of
REARDON & SCLAFANI, P.C.
Attorneys for Defendants
220 White Plains Road, Suite 235
Tarrytown, New York 10591
(914) 366-0201

CIVIL ACTION
CASE NO.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
ADAM FAROOK,

Plaintiff,

- against -

MICHAEL BAILEY AND PV HOLDING CORP.,

Defendants.
-----X

NOTICE OF REMOVAL

BRONX COUNTY
INDEX NO. 8270/05

S I R S :

PLEASE TAKE NOTICE, that the undersigned hereby removes this action to the United States District Court, Southern District of New York, United States Courthouse, 500 Pearl Street, New York, New York, pursuant to Local Civil Rule 81.1 and 28 U.S.C. §§1332, 1441(a) and 1446(b), from the Supreme Court of the State of New York for Bronx County, on the ground that this Court has original jurisdiction of the matter based on the diversity of citizenship of the parties, in that the plaintiff, Adam Farook, is a citizen of the State of New York and resides at 1144 Nelson Avenue, Bronx, New York; the defendant, Michael Bailey, is a citizen of the State of Maryland and resides at 709 Clifton Terrace Drive, Bel Air, Maryland; and the defendant, PV Holding Corp. is a citizen of the State of Delaware and maintains its principal office at 6 Sylvan Way, Parsippany, New Jersey, and it is alleged that the matter in

controversy exceeds the sum or value of \$75,000.00, exclusive of interest and costs.

The cause of action arises out of an alleged motor vehicle accident occurring on or about July 6, 2004, in the County of New York, State of New York. Copies of the plaintiff's amended summons and amended complaint dated February 23, 2005 are annexed.

On or about February 25, 2005, the plaintiff's summons and complaint were filed in the Supreme Court of the State of New York, County of Bronx. The defendant, PV Holding Corp., received the amended summons and amended complaint on or about April 4, 2005. This notice is timely pursuant to 28 U.S.C. §1446(b). It is unknown if defendant Michael Bailey has been served with process. All defendants join in this notice.

Dated: Tarrytown, New York
April 11, 2005

Yours, etc.

REARDON & SCLAFANI, P.C.
Attorneys for Defendants
OFFICE & P.O. ADDRESS
220 White Plains Road, Suite 235
Tarrytown, New York 10591
(914) 366-0201

By: s/
MICHAEL V. SCLAFANI (MVS 9120)

CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies that on April 14, 2005, he caused to be served a true and correct copy of the within NOTICE OF REMOVAL by depositing the same in the United States mail, first class, postage pre-paid, addressed to:

TO: Segal & Lax, Esqs.
Attorneys for Plaintiff
501 5th Avenue, Suite 2004
New York, New York 10017

s/
MICHAEL V. SCLAFANI (MVS 9120)